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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,584	12/11/2003	Antonietta Grasso	D/A3124	8196

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EXAMINER

LY, CHEYNE D

ART UNIT	PAPER NUMBER
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2168

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/733,584	Applicant(s) GRASSO ET AL.	
	Examiner Cheyne D. Ly	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/11/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Claims 1-19 are examined on the merits.
2. The IDS, filed December 11, 2003, has been fully considered.

CLAIM REJECTIONS - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 1 recites the limitation "the identified document" in line 7. There is insufficient antecedent basis for this limitation in the claim. It is noted that line 3 recites "identifying items," however, the broad limitation of the "identified items" does not provide antecedent basis for the more limited limitation of "identified document." The same issue is present in claim 10, line 7, claim 18, line 9, and claim 19, line 10. Claims 2-9 and 11-17 are rejected for being dependent from claim 1 and 10.
6. Claim 19 recites "A method..." in the preamble while the body of the claim recites only structural limitations such as "a memory" and "processor," which causes claim 19 to be vague and indefinite. For example, claim 19 is not clear as to whether the preamble (method) or the body of the claim (product) controls the metes and bounds of said claim.

CLAIM REJECTIONS - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-5, 10-14, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Mattox et al. (1999) (Mattox hereafter).

CLAIM INTERPETATIONS

9. In regard to the limitations of “hub expert” and “authoritative items”, Mattox does not explicitly recite said limitations. However, as cited below, the disclosure of Mattox has been interpreted as being consistent with said limitations as defined by the instant specification on page 3, paragraph [0006]. For example, Applicant describes a “hub expert is a user who is aware of important items or documents within a given field and uses.” Mattox discloses “our chemical expert has suggested we look at what knowledge another expert...has captured with respect to chemical” (page 6, lines 17-18). Applicant describes an “authoritative item...is one which has been acted upon by a large number of users within a community who are well connected in the given field (i.e. hub experts). Mattox discloses “[w]e quickly scan these sites and discover...a web site that catalogues academic, industrial, and government organizations involved in research and manufacture of chemicals” (page 6, lines 18-26).

BASIS FOR REJECTION

10. In regard to claim 1, Mattox discloses a method for identifying an expert with a community of users in a recommender system, comprising:

Identifying items in a particular field provided by users with the community (page 3, 3rd paragraph);

For each identified item:

Determining which users within the community have acted upon the identified item (page 3, 3rd paragraph);

Determining which of the users who have acted upon the identified documents are aware of other relevant items in the particular field (page 6, lines 13-18); and

Determining which identified items have been acted upon by a predetermined number of hub experts (pages 6-7, Knowledge Evaluation and Annotation (KEAN); and

Defining those items as authoritative items (page 7).

11. In regard to claim 2, Mattox discloses associating names of the hub experts with the authoritative items (pages 6-7, Knowledge Evaluation and Annotation (KEAN), especially page 7).

12. In regard to claim 3, Mattox discloses acting upon an item comprises one of reading the item, reviewing the item, commenting on the item and recommending the item (page 2, last paragraph).

13. In regard to claim 4, Mattox discloses recommending an item (page 6, 2nd paragraph) comprises submitting a numerical rating (page 6, 2nd paragraph, especially the disclosure of “listing individual assessments (ranking from 1-10)”).

14. In regard to claim 5, Mattox discloses recommending an item comprises submitting a numerical rating and a comment (page 6, 2nd paragraph, especially the disclosure of “listing individual assessments (ranking from 1-10)...associated textual comment”).
15. Claims 10-14, 18, and 19 are disclosed by Mattox as cited above.

CONCLUSION

16. The claimed invention is directed statutory subject because limitation of “items...provided by users” and “which users within the community have acted upon the identified item” have interpreted as “resulting in a physical transformation for which a practical application...would have been known to a skilled artisan.”
17. The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure:
18. Maybury et al., International Journal of Human-Computer Interaction, Volume 14 (2), pages 199-217, June 2002.
19. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance.
- Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been

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corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

20. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199. The USPTO's official fax number is 571-272-8300.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716.

The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo, can be reached on (571) 272-3642.

C. Dune Ly
Patent Examiner
6/11/06

